

Bruce P. Keller (BK-9300)
Jeremy Feigelson (JF-4963)
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, New York 10022
(212) 909-6000

ELECTRONICALLY FILED

*Attorneys for Defendant, Counterclaimant and Third-Party Plaintiff
Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
SAMUEL L. JONES JR.,	:
	:
Plaintiff,	: No. 07 Civ. 5693 (BSJ) (AJP)
	:
-against-	:
	:
INFINITY BROADCASTING CORPORATION OF	: DECLARATION OF
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	: <u>BRUCE P. KELLER</u>
WASHINGTON, D.C.,	:
	:
Defendant.	:
	:
-----X	
INFINITY BROADCASTING CORPORATION OF	:
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	:
WASHINGTON, D.C.,	:
	:
Counterclaimant and Third-Party Plaintiff,	:
	:
-against-	:
	:
SAMUEL L. JONES JR.,	:
	:
Counterclaim Defendant, and	:
	:
RADIO ONE, INC.,	:
	:
Third-Party Defendant.	X

Bruce P. Keller declares:

1. I am a member of the bar of the State of New York, a member of the bar of this Court, and a member of Debevoise & Plimpton LLP, counsel to Infinity Broadcasting Corporation of Washington, D.C. n/k/a CBS Radio Inc. of Washington, D.C. (“CBS Radio”) in this matter. I submit this declaration on personal knowledge in support of CBS Radio’s motion for a finding of contempt against Samuel L. Jones Jr. and Radio One, Inc. (“Radio One”), in opposition to Jones’ motion to vacate or modify the Amended Preliminary Injunction, and in opposition to Radio One’s motion to dismiss for lack of personal jurisdiction and to modify the amended preliminary injunction.

2. The purpose of this declaration is to put before the Court certain documents that provide evidence of the conduct that forms the basis for CBS Radio’s motion for contempt and opposition to Jones’ and CBS Radio’s motions.

3. On July 24, 2007, Jones appeared on the Tom Joyner Morning Show on Radio One’s WMMJ station as “the Celebrity Snitch formerly known as HUGGY LOWDOWN.” A true and correct audio recording of that appearance, recorded in MP3 format from the WMMJ-FM website (<http://www.majic1023.com>), is attached as Exhibit 1.

4. On July 26, 2007, Tom Joyner referred to Jones as “the Celebrity Snitch formerly known as hush, hush, hush . . . can’t say it.” A true and correct audio recording of that broadcast, recorded in MP3 format from the WMMJ-FM website (<http://www.majic1023.com>), is attached as Exhibit 2.

5. On August 6, 2007, Tom Joyner began to say “HU---,” but theatrically stopped short once the first syllable had been enunciated. He also expressly referred to Jones as “HUGGY.” A true and correct audio recording of that broadcast, recorded in MP3 format from the WMMJ-FM website (<http://www.majic1023.com>), is attached as Exhibit 3.

6. On August 8, 2007, Tom Joyner referred to Jones as “HUGGY” on the air on the Tom Joyner Morning Show. A true and correct audio recording of that broadcast, recorded in MP3 format from the WMMJ-FM website (<http://www.majic1023.com>), is attached as Exhibit 4.

7. The audio recording of the August 8 broadcast, attached as Exhibit 4, also demonstrates that Radio One continues to promote Jones daily as “Celebrity Snitch, formerly known as [blank].”

8. On August 16, Jones referred to Jones’ home as the “Hug Shack.” A true and correct audio recording of the August 16 broadcast, recorded in MP3 format from the WMMJ-FM website (<http://www.majic1023.com>), is attached as Exhibit 5.

9. On August 17, Tom Joyner said Jones was broadcasting “live from the Hug Shack” and called him the “Hugster.” Tom Joyner also again referred to Jones as “HU---,” but then stopped short after the first syllable.

10. On the WMMJ-FM website, Radio One “bleeped” the references to “Hug Shack” and “Hugster” from the August 17 program. A true and correct audio recording of the August 17 broadcast, recorded in MP3 format from the WMMJ website (<http://www.majic1023.com>), is attached as Exhibit 6.

11. Radio One also uploads Joyner's program to blackamericaweb.com, a website owned by Reach Media, in which Tom Joyner and Radio One are both partners. There, the August 17 Jones appearance is available in its original, unedited form. A true and correct audio recording of the August 17 broadcast, recorded in MP3 format from the blackamericaweb.com website (<http://www.blackamericaweb.com/site.aspx/tjms/listen/indexmajic1023.com>), is attached as Exhibit 7.

12. On August 20, 2007, Tom Joyner again referred to the "Hug Shack" and called Jones the "Hugster." A true and correct audio recording of the August 20, 2007 broadcast is attached as Exhibit 8.

13. Attached as Exhibit 9 is a true and correct copy of a letter I sent to the Court on July 25, 2007.

14. Attached as Exhibit 10 is a true and correct screenshot of Radio One's website (<http://radio-one.com/about/>), demonstrating that Radio One owns Giant Magazine and interests in TV One, LLC ("TV One").

15. Attached as Exhibit 11 is a true and correct screenshot of TV One's website (http://www.tvoneonline.com/inside_tvone/contactus.asp), demonstrating that TV One maintains a sales office in New York.

16. Attached as Exhibit 12 is a true and correct screenshot of Giant Magazine's website (<http://giantmag.com/ratecard>), demonstrating that Giant Magazine is published in New York.

17. Attached as Exhibit 13 is a true and correct screenshot of Black America Web's website (<http://www.blackamericaweb.com/site.aspx/tjms/listen/affiliates#>),

demonstrating that the Tom Joyner Morning Show can be heard in Buffalo and Syracuse, New York.

18. Attached as Exhibit 14 is a true and correct copy of correspondence between me and Mr. Rivera, counsel for Mr. Jones and Radio One, on August 15-22, 2007.

19. Attached as Exhibit 15 is a true and correct screenshot of the WMMJ website, demonstrating that Radio One is advertising that the Celebrity Snitch “is now on” the Tom Joyner show.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York this 23rd day of August 2007.

/s/ Bruce P. Keller

Bruce P. Keller

EXHIBITS 1-8

**are audio files on compact discs that
cannot be scanned into the ECF
system.**

EXHIBIT 9

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

July 25, 2007

BY FACSIMILE

Hon. Barbara S. Jones
United States District Court
Southern District of New York
U.S. Courthouse
500 Pearl Street, Room 620
New York, New York 10007

**Samuel L. Jones Jr. v. Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C., 07 Civ. 5693 (BSJ)(AJP)**

Dear Judge Jones:

This responds to your July 25, 2007 Order requesting responses to a proposed change to your July 23, 2007 Order.

CBS Radio has no objection to the proposed change unless Jones and Radio One use it as an excuse to attempt to indirectly accomplish what they otherwise are already directly enjoined from doing:

using the HUGGY LOWDOWN mark in any way in connection with any radio broadcast within the Washington, D.C. Total Survey Area . . . or in the promotion of such broadcast.

Given the conduct of Jones and Radio One to date, CBS Radio is concerned that, in connection with future Celebrity Snitch segments, they may attempt to drive listeners to the WMMJ website, where those listeners will be exposed to a HUGGY LOWDOWN personal appearance promotion that uses the mark. As a practical matter, that will create a promotional link between the broadcast and the mark that will defeat CBS Radio's contractual exclusivity, which is for use of the mark

on and in connection with radio programs (including internet transmission . . .)

Grimes Decl. Ex. 1, ¶ 1. Jones, of course, promised to honor that exclusivity by agreeing

Hon. Barbara S. Jones

2

July 25, 2007

not to use the Trademark **in any manner** that will conflict with the Licensee's exclusive rights of use as defined in paragraph 1.

Grimes Decl. Ex. 1, ¶ 2 (emphasis added).

Accordingly, future disputes might be avoided were the proposed clarification to expressly incorporate, through the bolded language below, the concept of indirect, as well as direct, promotions of the radio broadcast in any media seen or heard within the Washington, D.C. market:

Jones and Radio One, and all those acting in concert or participation with them are preliminarily enjoined from using the HUGGY LOWDOWN mark in any way in connection with any radio broadcast or in the **direct or indirect** promotion of such broadcast, **in any media whatsoever**, within the Washington, D.C. Total Survey Area as defined by the Arbitron ratings service until May 26, 2008.

Thank you for your continued attention to this matter.

Respectfully yours,



Bruce P. Keller

cc: Stephen Sussman, Esq. (by facsimile)

EXHIBIT 10

Radio One: The Urban Media Specialist - Microsoft Internet Explorer provided by Debevoise & Plimpton LLP

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites

Address <http://radio-one.com/about/> Go Links

August 22, 2007

RADIO ONE

THE URBAN RADIO SPECIALIST

Station Quick Search GO

ABOUT
OUR PROPERTIES
NEWS
INVESTOR RELATIONS
CORPORATE SALES
CAREERS
CONTACT US
HOME



ABOUT US

[About](#) | [Executive Team](#) | [Board of Directors](#) | [Senior Management](#)
[Milestones](#) | [Code of Ethics](#) | [Audit Committee Charter](#) | [Contact](#)

About Radio One

Radio One, Inc. (www.radio-one.com) is the nation's seventh largest radio broadcasting company (based on 2006 net broadcast revenue) and the largest radio broadcasting company that primarily targets African-American and urban listeners. Pro forma for recently announced transactions, Radio One owns and/or operates 60 radio stations located in 19 urban markets in the United States. Additionally, Radio One owns Magazine One, Inc. (d/b/a Giant Magazine) (www.giantmag.com), interests in TV One, LLC (www.tvoneonline.com), a cable/satellite network programming primarily to African-Americans and Reach Media, Inc. (www.blackamericaweb.com), owner of the Tom Joyner Morning Show and other businesses associated with Tom Joyner. Radio One also operates the only nationwide African-American news/talk network on free radio and programs "XM 169 The POWER," an African-American news/talk channel, on XM Satellite Radio.

Our strategy is to expand within our existing markets and into new markets that have a significant African-American presence. We believe radio broadcasting primarily targeting African-Americans has significant growth potential. We also believe that we have a competitive advantage in the African-American market and the radio industry in general, due to our primary focus on urban formats, our skill in programming and marketing these formats, and our turnaround expertise.

Radio One, Inc. is led by our Chairperson and Founder, [Catherine L. Hughes](#), and her son, [Alfred C. Liggins, III](#), Chief Executive Officer and President, who together have over 45 years of operating experience in radio broadcasting. Ms. Hughes, Mr. Liggins, and our strong management team, have successfully implemented a strategy of acquiring and turning around under performing radio stations.

Our market portfolio includes stations in Atlanta, Augusta, Baltimore, Boston, Charlotte, Cincinnati, Cleveland, Columbus, Dallas, Dayton, Detroit, Houston, Indianapolis, Los Angeles, Louisville, Miami, Minneapolis, Philadelphia, Raleigh-Durham, Richmond, St. Louis and Washington, DC.

Done

Start

Inbox - Microsoft Outlook Radio One: The Urban... Microsoft PowerPoint - [...]

Internet

10:52 PM
Wednesday
8/22/2007

EXHIBIT 11

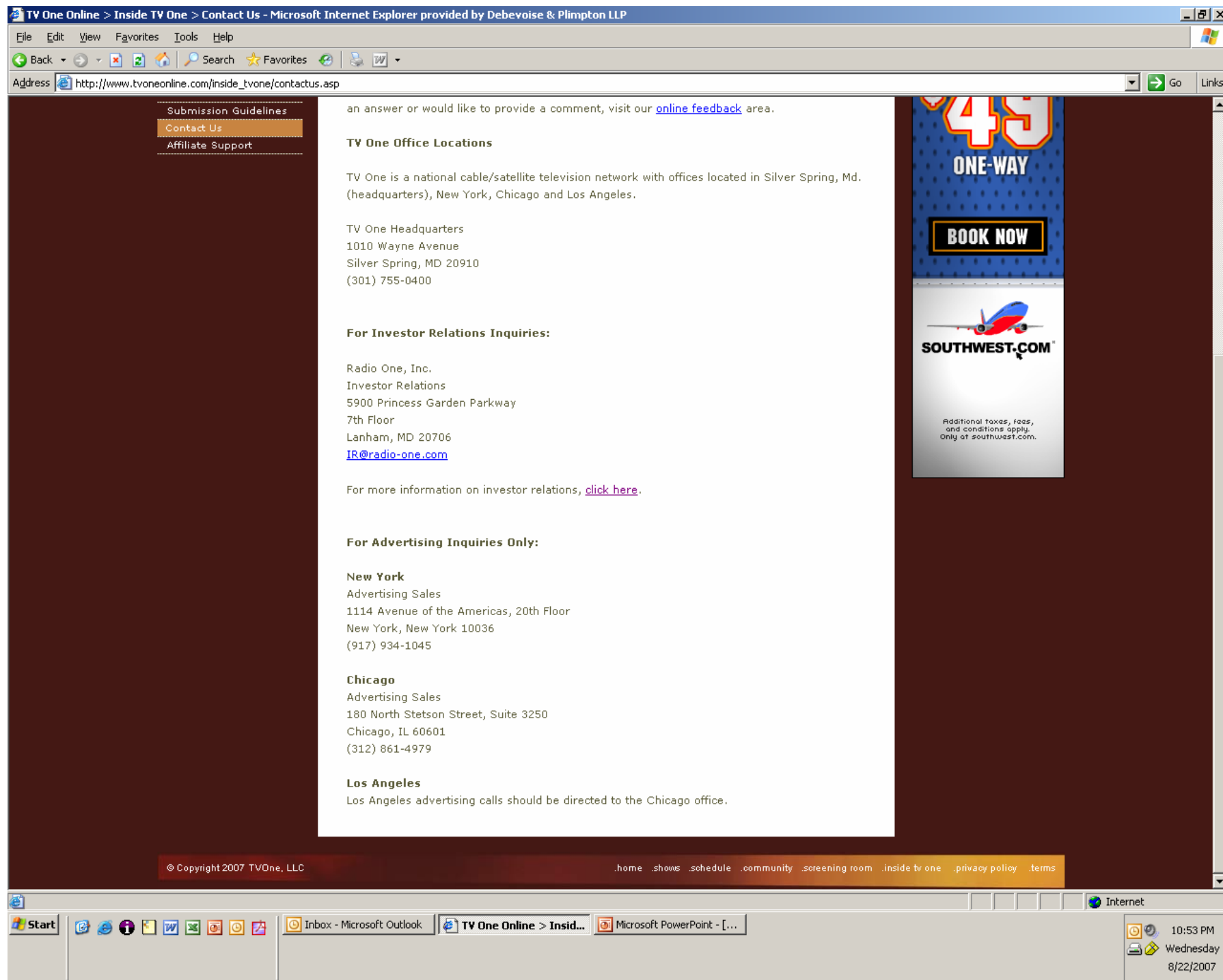


EXHIBIT 12

GIANT Magazine | Media Kit and Rate Card - Microsoft Internet Explorer provided by Debevoise & Plimpton LLP

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Go Links

Address http://www.giantmag.com/ratecard

win an ipod, ultimate ears earphones and music from

CONTESTS MUSIC MOVIES DVDS GIRLS TV VIDEO GAMES SUBSCRIBE Blogs **SEARCH**

GIANT

SAVE 66%

[Home](#) » Media Kit and Rate Card

Media Kit and Rate Card

- Download Media Kit
 - Download Rate Card
 - Download Production Specs
 - Download Credit Application
 - Download Reader Profile
 - Download Issue & Close Dates

2007 Ratebase: = 250,000

Advertiser Contact

Kyle McCullers, Advertising Operation Manager

Kyle.mccullers@giantmag.com

Giant Magazine, LLC.
50 East 42nd St.
New York, NY 10017

GIANT

DIGITAL SUBSCRIPTION
FREE AND IN YOUR INBOX!
SIGN UP NOW!

http://media.fastclick.net/w/click.here?delivery=fastclick.com&sid=243658&ssid=1038308m=1&c=0

Start | Internet

Inbox - Microsoft Outlook | GIANT Magazine | Me... | Microsoft PowerPoint - [...]

10:54 PM
Wednesday
8/22/2007


EXHIBIT 13

BAW: Affiliate Radio Station Map - Microsoft Internet Explorer provided by Debevoise & Plimpton LLP

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

Address <http://www.blackamericaweb.com/site.aspx/tjms/listen/affiliates#> Go Links



click here to find out more.

SEAGRAM'S APPLE TWISTED GIN™ 35% Alc./Vol. (70 Proof). ©2007 Joseph E. Seagram & Sons, Lawrenceburg, IN. Please drink responsibly.

TOM JOYNER MORNING SHOW

TUNE IN


blackamericaweb.com

LISTEN LIVE

TOMJOYNERMORNINGSHOW

CATCH THE SHOW

IMPORTANT: Please disable all "pop up disabling software" Pop-up blockers will prevent you from finding a Tom Joyner Morning Show affiliate. Check to see where you can listen to the Morning Show!



St. Thomas, U.S.V.I. **WWKS 101.3FM** 340-776-1000

LISTEN LIVE NOW!

Username

Password

Log in [join BAW](#) [forgot password](#)

NEWS

LEISURE & FUN

TJMS

TJ FOUNDATION

HEALTH

CAREER & FINANCE

HOME AND FAMILY

LIFE

WORK

PLAY

You Don't Need Perfect Credit to [Refinance & Save \\$1000s](#). Compare Quotes from up to 4 lenders at [LowerMyBills.com](#). [Join Curves Now](#) and Work Out FREE.

WBLK 93.7-FM Buffalo NY
www.wblk.com 716-852-9393

WPHR 106.9-FM Syracuse NY
www.power1069.com 315 472-9797

Done Internet

Start

Inbox - Microsoft Outlook BAW: Affiliate Radio Stat... Microsoft PowerPoint - [...] <http://www.blackam...>

10:55 PM
Wednesday
8/22/2007

EXHIBIT 14

Keller, Bruce P.

From: Victor Rivera [Victor.Rivera@lbands.com]
Sent: Wednesday, August 15, 2007 12:31 PM
To: Keller, Bruce P.
Cc: Steve Sussman
Subject: Jones v. Infinity
Attachments: PROMOCOPY__8_14_071.doc

Bruce:

I transmit a revised proposed radio promotion for the September 9, 2007 Huggy Lowdown Comedy Throwdown.

To address Judge Jones' primary concern, the "signature line" which you complained of at yesterday's hearing has been removed and replaced by another joke from Mr. Jones' standup routine.

All statements in the promo by Mr. Jones, which I understand are used in his stand-up routine, will be re-recorded by him for use on-air.

Given the time exigencies involved, I would appreciate your client's response at their earliest opportunity.

Victor Rivera Jr.
Lebensfeld Borker Sussman & Sharon LLP

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Lebensfeld Borker Sussman & Sharon LLP . 140 Broad Street . Red Bank, NJ 07701 . 732.530.4600
2 Penn Plaza - Suite 1980 . New York, NY 10121 . 212.594.2030

8/23/2007

PROMO COPY

JONES: "WHAT'S HAPPENING HOME BOY, HOME SLICE, HOME MADE, HOME DEPOT, HOME ALONE IN NEW YORK 2?"

NARRATOR: "D.C., IT'S BACK! IT'S THE HUGGY LOWDOWN COMEDY THROW DOWN FEATURING D.C.'S #1 FUNNY MAN: HUGGY LOWDOWN."

JONES: "YOU ARE THE BAMMA OF THE WEEK, WEEK, WEEK, WEEK. YOU MIGHT BE A BAMMA IF YOU'RE A SECURITY GUARD AT THE SAME SCHOOL YOU GRADUATED FROM."

NARRATOR: "THAT'S RIGHT, IT'S HUGGY LOWDOWN AND FRIENDS WITH TWO BIG SHOWS SEPTEMBER 8TH AT THE HYATT REGENCY IN CRYSTAL CITY ALONG WITH AN AFTER PARTY FEATURING LONNY C FROM MAGIC 102.3 AND D.J. 6TH SENSE FROM 93 KISS."

JONES: "THEY'RE DOING A BLACK VERSION OF THE NEW MOVIE HAIR SPRAY AND IT'S CALLED ULTRA PERM STARRING REV. AL SHARPTON, DON KING AND CONDOLEEZA RICE"

NARRATOR: "COME SEE HUGGY LOWDOWN AND FRIENDS AT THE HUGGY LOWDOWN COMEDY THROWDOWN AT THE HYATT REGENCY IN CRYSTAL CITY FOR TWO BIG SHOWS ON SEPTEMBER 8 WITH AN AFTER PARTY FEATURING LONNY C FROM MAGIC 102.3 AND D.J. 6TH SENSE FROM 93 KISS."

NARRATOR: "TICKETS ON SALE AT ALL TICKET MASTER LOCATIONS. THIS EVENT BROUGHT TO YOU BY THE STAN RICHARDS GROUP."

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

August 15, 2007

Victor Rivera, Jr., Esq,
Lebensfeld Borker Sussman & Sharon LLP
Two Penn Plaza
Suite 1980
New York, NY 10121

Dear Victor:

Thank you for the revised promotional copy. I have forwarded it on for client comment.

In the meantime, however, please recognize that this copy fails to address every one of the objections I detailed in court yesterday, other than the replacement of one signature line associated with Mr. Jones' current Celebrity Snitch broadcasts for what appears at this point to be another. That is disappointing and may require us to formally lodge those objections in our opposition papers next week unless agreement can be reached. That is wasteful and regrettable.

Yesterday I also specifically pointed out that the problems with including sound bites from Mr. Jones would not be resolved by "re-record[ing]" this material so that it was derived from a source other than an actual Tom Joyner radio broadcast. It is the use of any material that recently has been heard on such broadcasts that itself is objectionable.

Although you were not at the preliminary injunction hearing, you may recall that Mr. Sussman offered to have Mr. Jones demonstrate his distinctive HUGGY LOWDOWN voice for Judge Jones. July 23 Tr. at 33. Although Judge Jones declined the offer, the point was made. When that "particular" voice is heard, reciting material recently aired on Tom Joyner broadcasts, a direct link is drawn among that character, that program, WMMJ and Radio One. The revised copy continues to underscore that link because it purports to promote a HUGGY LOWDOWN personal appearance, using content that is instantly recognizable as Celebrity Snitch material currently being broadcast on WMMJ by Radio One. Any WMMJ listener immediately will make the connection among HUGGY, the Snitch and WMMJ that the injunction is intended to prohibit.

Victor Rivera, Jr., Esq.

2

August 15, 2007

I also explained that the promotion expressly references WMMJ and yet another Radio One station, 93 Kiss. It also identifies by name, well-known on-air talent associated with those stations. This is yet another way in which WMMJ and Radio One are deriving a promotional benefit from the HUGGY LOWDOWN mark.

Although I have yet to hear back from the client, I expect they will identify at least these issues as reasons why this barely revised copy cannot be the basis of an amicable agreement. If your client -- Mr. Jones -- truly wishes to promote only his personal appearance, perhaps you can provide a copy which does that and only that. Despite our continuing concerns over promotions that emphasize the Celebrity Snitch's voice and expressly link it to the HUGGY LOWDOWN mark, we remain open to considering other copy.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bruce P. Keller", with a long horizontal flourish extending to the right.

Bruce P. Keller

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.dcbeyoise.com

August 16, 2007

Victor Rivera, Jr., Esq.
Lebensfeld Borker Sussman & Sharon LLP
Two Penn Plaza
Suite 1980
New York, NY 10121

**Samuel L. Jones Jr. v. Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C., 07 Civ. 5693 (BSJ)(AJP)**

Dear Victor:

CBS Radio has now reviewed the revised promotional copy you sent yesterday afternoon. It has the following reactions:

1. It confirmed that the "Bamma of the Week" excerpt is yet another signature bit that, for about the last 5 years, was a regular feature of HUGGY LOWDOWN's appearances on the Donnie Simpson program.
2. It confirmed that the "Ultra Perm" excerpt is lifted directly from a Celebrity Snitch segment that recently aired on the Tom Joyner program.
3. It confirmed that Mr. Jones has plenty of stand-up material, above and beyond that which he has used on-air during the Donnie Simpson or Tom Joyner programs, and that he need not rely on previously broadcast material to advertise a personal appearance.
4. It confirmed that the voice Jones currently uses on-air as Celebrity Snitch is the same voice he used on the Donnie Simpson program.
5. It confirmed that Lonny C is on-air talent known to D.C. radio listeners as associated with Radio One's WMMJ (Magic 102.3) and DJ Sixth Sense is similarly associated with Radio One's WKYS (93 Kiss).

Victor Rivera, Jr., Esq.

2

August 16, 2007

Under the circumstances, CBS Radio believes this minimally revised copy continues to draw a direct link from HUGGY to Snitch to Joyner to WMMJ and, finally, to Radio One. That connection, which any WMMJ listener immediately will make, is exactly what the injunction is intended to prohibit.

If Mr. Jones truly wishes to promote only his personal appearance, and not any of Radio One's D.C. area radio stations, attached is copy which does that and only that.

Please call me to discuss this.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bruce P. Keller", with a long horizontal flourish extending to the right.

Bruce P. Keller

Attachment

PROMO COPY

NARRATOR: D.C., IT'S BACK! IT'S THE HUGGY LOWDOWN, COMEDY
THROW DOWN FEATURING D.C.'S #1 FUNNY MAN
HUGGY LOWDOWN.

THAT'S RIGHT, HUGGY LOWDOWN AND FRIENDS WILL
HAVE TWO BIG SHOWS SEPTEMBER 8TH AT THE HYATT
REGENCY IN CRYSTAL CITY PLUS A DANCE PARTY
AFTERWARDS, FEATURING LIVE D.J.S FROM YOUR
FAVORITE RADIO STATIONS

COME SEE THE HUGGY LOWDOWN COMEDY
THROWDOWN AT THE HYATT REGENCY IN CRYSTAL
CITY. TWO BIG SHOWS ON SEPTEMBER 8 AND STAY
FOR THE LIVE D.J. DANCE PARTY AFTERWARDS

TICKETS ON SALE AT ALL TICKET MASTER LOCATIONS.
THIS EVENT BROUGHT TO YOU THE STAN RICHARDS
GROUP.

Keller, Bruce P.

From: Victor Rivera [Victor.Rivera@lbands.com]
Sent: Wednesday, August 22, 2007 6:18 PM
To: Keller, Bruce P.
Cc: Steve Sussman
Subject: RE: Jones v. Infinity

Bruce,

The promoters attempted to work with the material you forwarded, but were unable to come up with a satisfactory format. In consequence, the long-planned Comedy Throwdown at the Hyatt Regency on September 8 has been cancelled.

Victor Rivera Jr.
Lebensfeld Borker Sussman & Sharon LLP

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From: Keller, Bruce P. [mailto:bpkeller@debevoise.com]
Sent: Tuesday, August 21, 2007 6:10 PM
To: Victor Rivera
Cc: Steve Sussman
Subject: Re: Jones v. Infinity

Victor--

We have yet to have any response whatever to the copy we proposed in response to the version attached to your email of August 15.

If there is anything else we need to bring to Judge Jones' attention in our opposition to Mr. Jones' motion, please let me know at once.

----- Original Message -----

From: Victor Rivera <Victor.Rivera@lbands.com>
To: Keller, Bruce P.
Cc: Steve Sussman <Steve.Sussman@lbands.com>
Sent: Wed Aug 15 12:30:45 2007
Subject: Jones v. Infinity

Bruce:

I transmit a revised proposed radio promotion for the September 9, 2007 Huggy Lowdown Comedy Throwdown.

To address Judge Jones' primary concern, the "signature line" which you complained of at yesterday's hearing has been removed and replaced by another joke from Mr. Jones' standup routine.

All statements in the promo by Mr. Jones, which I understand are used in his stand-up routine, will be re-recorded by him for use on-air.

Given the time exigencies involved, I would appreciate your client's response at their earliest opportunity.

8/23/2007

Victor Rivera Jr.
Lebensfeld Borker Sussman & Sharon LLP

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2 Penn Plaza - Suite 1980 . New York, NY 10121 . 212.594.2030

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2 Penn Plaza - Suite 1980 . New York, NY 10121 . 212.594.2030

8/23/2007

EXHIBIT 15

Happy Birthday Chuck Brown! - Microsoft Internet Explorer provided by Debevoise & Plimpton LLP

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Print


Address http://www.majic102.3.com/home.asp Go Links

[Majic's Playlist](#)
[On-Air Personalities](#)
[Photo Wall](#)
[Majic's Concert Calendar](#)
[Majic's Station Events](#)

[Streaming Help](#)
[EEO](#)
[Majic Info](#)

MAJIC POLL

Michael Vick to plead Guilty on Monday!




Michael Vick has made the decision to plead guilty to federal dogfighting conspiracy charges following a weekend of weighing options that would have the least affect on his football career!

Do you think Michael Vick's career is over?

☐ Yes, It's a wrap!
☐ No, if he doesn't play for the NFL, there's always overseas!
☐ Undecided

[View Results](#)

WEATHER




Cloudy
67°

[Get the Forecast](#)

Register with [And vote for your favorite songs while chatting with other listeners #](#)

MAJIC'S MAIN STORY




Click [here](#) for Today's "It's Your World"

LISTEN LIVE

ON AIR NOW


Mike Chase



[View Details](#)

SOUND OFF

MAJIC'S SPONSOR



MAJIC'S LINK WORDS

Search:


Site Keywords

For:

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